

David I. Schoen  
Attorney at Law  
2800 Zelda Road, Suite 100-6  
Montgomery, Alabama 36106  
Telephone: 334-395-6611  
Facsimile: 917-591-7586  
E-Mail: Schoenlawfirm@gmail.com

June 1, 2021

Honorable Eric R. Komitee  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
\* Via ECF \*

Re: *U.S. v. Orena*; 92-cr-351 (EK) (Related: 20-cv-4548 (EK))

Dear Judge Komitee:

I represent Mr. Victor Orena, in the above-referenced case and I am writing today to give the Court a status report concerning the forthcoming Motion for Compassionate Release, pursuant to 18 U.S.C. §3582, that Mr. Orena is planning to file [See ECF# 1857; Text Order of May 17, 2021].

I am still waiting to receive certain relevant documents that I believe will give the Court the appropriate full picture and address all necessary elements for the Court's consideration of a motion under §3582. *See e.g., United States v. Thrower*, 495 F. Supp. 3d 132 (E.D.N.Y. 2020); *United States v. Brooker*, 976 F.3d 228, 236-237 (2d Cir. 2020) (District courts have broad discretion in deciding what constitutes a qualifying extraordinary and compelling circumstance).

I anticipate receiving the documents at issue by the end of this week, absent any further mail delays. This would allow me to file Mr. Orena's §3582 motion by Monday, June 6, 2021, and that is my plan.

I thank the Court for its consideration. As the Court can imagine, it is our goal to get this motion before the Court as soon as possible, given the serious health conditions at issue; but it is also important, of course, for the Court to have all relevant information before it.

Respectfully,

/s/ David I. Schoen  
Counsel for Victor J. Orena

cc: AUSA Elizabeth Geddes, Esq. (Via ECF)